

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WAWA, INC., a corporation of the State)
of New Jersey,)

Plaintiff,)

v.)

THE GOVERNMENT OF NEW CASTLE)
COUNTY DELAWARE, a political)
subdivision of the State of Delaware,)

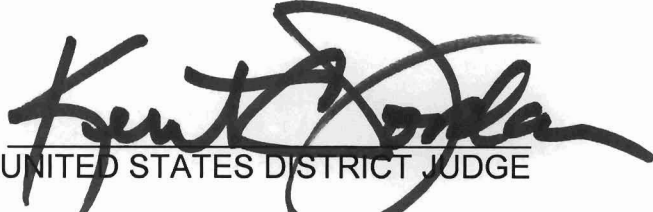
Defendant.)

Civil Action No. 04-322-KAJ

ORDER

For the reasons set forth in the Memorandum Opinion issued in this matter
today,

IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment (D.I. 23)
is DENIED, and that Defendant's Motion for Summary Judgment (D.I. 26) is GRANTED.


UNITED STATES DISTRICT JUDGE

October 13, 2005
Wilmington, Delaware